

**APPLICATION FOR RIGHT OF WAY EASEMENT FOR UTILITIES OVER,  
UNDER, ALONG OR ACROSS STATE LANDS**

**(Non-Refundable Application Fee -- \$50.00)**

NOTE: Easement requests are processed on a first come, first served basis. Department review of complete application packages may take a minimum of 120 days. Incomplete applications and those requiring further information may take longer.

\_\_\_\_\_ Montana, \_\_\_\_\_, 20

**To the State Board of Land Commissioners**  
**j Montana Department of Natural Resources and Conservation**

Application is hereby made under the provisions of Title 77, Chapter 2, Section 101 of the Montana Code Annotated,  
by \_\_\_\_\_ of  
\_\_\_\_\_ for a right of way easement  
for the purpose(s) of  
\_\_\_\_\_ through \_\_\_\_\_, Section \_\_\_\_\_, Township \_\_\_\_\_, Range  
, County of \_\_\_\_\_

Duly verified quad maps in duplicate accompany this application and are made a part hereof. The tract or strip of  
land required for the said right of way is more particularly described as follows:

A tract or strip of land \_\_\_\_\_ feet wide, \_\_\_\_\_ feet on each side of a centerline described as follows:

**DESCRIPTION**

Said easement area contains \_\_\_\_\_ acres.

An application packet must contain all of the following - Please check box when completed.

- Q

\$50.00 Application Fee Enclosed
- Q

Original and one copy of application signed by authorized representative of applicant
- Q

Affidavit completed, found monument corner appropriately described (i.e. brass cap, aluminum pipe, etc. with notation of inscription, if any)
- Q

Copy of corner recordation form or other support documentation as found in county courthouse
- Q

Quad map - **33**'s shown, found corner identified, acreage taken and remaining from each **33**, North arrow and scale; OR GPS Survey – affidavit signed by licensed surveyor or licensed professional engineer, which includes model of unit and level of accuracy
- Q

Centerline Description (Must begin and end with a tie in to the found section corner)
- Q

Lessee settlement signed by all parties to the lease.
- Q

Statement of necessity, what other routes were considered, why rejected.
- Q

If overhead facility, type of line (distribution/transmission), number of poles to be used (single or double construction), number of guys and anchors and voltage of line, if electric.  
If pipeline, diameter of pipe stated?
- Q

Stream/river crossing - list attached of other navigable river permits applied for and current status. If waived by other state or federal agencies, attach letter of waiver from authorized agent.

Name of Applicant \_\_\_\_\_

\_\_\_\_\_

Signature of Authorized Signatory

Title

\_\_\_\_\_

Address

\_\_\_\_\_

**AFFIDAVIT**

I \_\_\_\_\_, the person who prepared the attached exhibit for easement for which application is hereby made, do hereby certify that the description of the right of way as given in this application is accurate and correct in every particular and that the monument referenced herein described as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_\_.

Signed

\_\_\_\_\_

Title

\_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 )  
County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, in the year 200\_\_\_\_, before me \_\_\_\_\_, a Notary Public for the State of Montana, personally appeared \_\_\_\_\_ known to me to be the person\_\_\_\_ whose name \_\_\_\_\_ subscribed to the within instrument and acknowledged to me that \_\_\_\_\_ executed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certification above written.

\_\_\_\_\_

Notary Public for the State of Montana

Residing at\_\_\_\_\_

My Commission Expires\_\_\_\_\_